

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DARRELL RICARDO WHYTE,	)	
	)	
Plaintiff,	)	
	)	NO. 3:23-cv-00122
v.	)	
	)	JUDGE RICHARDSON
ANDREW HAZLEY, et al.,	)	
	)	
Defendants.	)	
	)	

**ORDER**

Pending before the Court<sup>1</sup> is a Report and Recommendation (“R&R”) of the Magistrate Judge (Doc. No. 65), recommending that the Court deny Plaintiff’s motion for a restraining order (Doc. No. 50, “Motion”). This recommendation is based on Plaintiff’s failures to discuss the elements required for injunctive relief and to request that specific conduct be restrained, and that Plaintiff’s motion primarily consists of (i) conclusory statements that text messages he received from the Tennessee Department of Correction indicating that the department would be closed due to inclement weather were “intimidation tactics,” and (ii) other unrelated allegations that are not connected to the requested relief. No objections to the R&R have been filed, and the time for filing objections has now expired.<sup>2</sup>

---

<sup>1</sup> Herein, “the Court” refers to the undersigned District Judge, as opposed to the Magistrate Judge who authored and filed the R&R.

<sup>2</sup> Under Fed. R. Civ. P. 72(b), any party has fourteen (14) days from receipt of the R&R in which to file any written objections to the Recommendation with the District Court. For pro-se plaintiffs, like Plaintiffs, the Court is willing to extend this 14-day deadline by three days to allow time for filings to be transported by mail.

The failure to object to a report and recommendation releases the Court from its duty to independently review the matter. *Frias v. Frias*, No. 2:18-cv-00076, 2019 WL 549506, at \*2 (M.D. Tenn. Feb. 12, 2019); *Hart v. Bee Property Mgmt.*, No. 18-cv-11851, 2019 WL 1242372, at \* 1 (E.D. Mich. March 18, 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The district court is not required to review, under a de novo or any other standard, those aspects of the report and recommendation to which no objection is made. *Ashraf v. Adventist Health System/Sunbelt, Inc.*, 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018); *Benson v. Walden Security*, No. 3:18-cv-0010, 2018 WL 6322332, at \*3 (M.D. Tenn. Dec. 4, 2018). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. *Id.*

Accordingly, the R&R (Doc. No. 65) is ADOPTED, and the Motion (Doc. No. 50) is DENIED.

IT IS SO ORDERED.

  
ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE